

NOV. 5. 2004 6:06PM

(3) FISH & RICHARDSON 6175428906 CENTRAL FAX CENTER 4528 P. 1

RECEIVED

NOV 05 2004

Attorney's Docket No.: 08919-053001  
Client's Ref. No.: 03A-890425

**OFFICIAL COMMUNICATION FACSIMILE:**

**OFFICIAL FAX NO: (703) 872-9306**

Number of pages including this page 4

Applicant : Chin-Ti Chen et al  
Serial No. : 09/996,202  
Filed : November 28, 2001

Art Unit : 1774  
Examiner : Camie Thompson

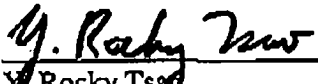
Title : Oxadizaole Tetramers

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is a Second Supplemental Reply to Office Action of May 5, 2004, faxed this 5<sup>th</sup> day of November, 2004, to the United States Patent and Trademark Office.

Respectfully submitted,

Date: November 5, 2004

  
Y. Rocky Tsao  
Reg. No. 34,053

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Fax: (617) 542-8906

20971045.doc

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (617) 542-5070 to arrange for its return. Thank you.

NOV. 5. 2004 6:06PM

(3) FISH & RICHARDSON 6175428906

NO. 4528 P. 2

Attorney's Docket No.: 08919-0530017-03A-890425

RECEIVED  
CENTRAL FAX CENTER

NOV 05 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chin-Ti Chen et al

Art Unit : 1774

Serial No. : 09/996,202

Examiner : Camie S. Thompson

Filed : November 28, 2001

Title : OXADIZAOLE TETRAMERS

**MAIL STOP AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**SECOND SUPPLEMENTAL REPLY TO OFFICE ACTION OF MAY 5, 2004**

Applicants mailed on September 3, 2004 a supplemental reply to Office Action of May 5, 2004. In a telephone interview held on November 5, 2004, Applicants' counsel was told by the Examiner that the supplemental reply was received by the USPTO on September 7, 2004, but had not reached her. For the Examiner's convenience, we file this document and repeat below our comments provided in the first supplemental reply:

After receiving an Advisory Action dated August 20, 2004, Applicant scheduled a telephone interview with the Examiner on September 2, 2004. During this interview, the Examiner accepted the amended claims as proposed by the applicant in response to the final Office Action. The decision was based on an e-mail message provided by Applicant prior to the interview, at the Examiner's request. This email provided the reasons for allowance of the amended claims. A copy thereof is attached as "Exhibit A."

Applicant submits that the grounds for rejection asserted by the Examiner have been overcome, and that claims 1-6, 8, 9, 11-18, 20 and 21 as pending, define subject matter that is novel. On this basis, it is submitted that all claims are now in condition for allowance, an action of which is requested.

**CERTIFICATE OF TRANSMISSION BY FACSIMILE**

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

November 5, 2004

Date of Transmission

Signature

Typed or Printed Name of Person Signing Certificate

NOV. 5. 2004 6:07PM

(3) FISH & RICHARDSON 6175428906

NO. 4528 P. 3

Applicant : Chin-Ti Chen et al  
Serial No. : 09/996,202  
Filed : November 28, 2001  
Page : 2 of 2

Attorney's Docket No.: 08919-053001 / 03A-890425

If necessary, Applicants petition that the period for response to the action dated May 5, 2004 be extended to November 5, 2004 under 37 CFR § 1.136 and request that charge of the extension fee(s) be applied to deposit account 06-1050, referencing Attorney's Docket No. 08919-053001.

Respectfully submitted,

Date: \_\_\_\_\_

11-5-04

Y. Rocky Tsao  
Y. Rocky Tsao, Ph.D., J.D.  
Attorney for Applicants  
Reg. No. 34,053

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20971038.doc